



Candlewood Valley Chapter
Trout Unlimited
P.O. Box 3795
Danbury, CT 06811

March 17, 2014

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Comments to the Government Administration & Elections Committee

Re: House Bill No. 5550

Mr. Chairman, members of the committee, thank you for allowing me the time to speak today on House Bill No. 5550 AN ACT CONCERNING THE CONVEYANCE OF CERTAIN PARCELS OF STATE LAND.

My name is Stephen Zakur, I am a resident of Sandy Hook, Connecticut and President of the Candlewood Valley chapter of Trout Unlimited. I am here today to offer recommendations for improvement to the bill.

Trout Unlimited is a national coldwater conservation organization founded in 1959 by anglers interested in improving habitat for trout. Today over 140,000 members work to protect, reconnect and restore habitat for coldwater fish species including trout and salmon.

The Candlewood Valley chapter, based in Danbury, with members from across the greater Danbury region, has been educating children, restoring habitat and providing angling opportunities for sports men and women for over two decades.

As part of our conservation mission, during the past ten years, we have been working in and with the Town of Newtown to improve coldwater habitat. One of the hallmark restoration efforts that we've driven is improving habitat along Deep Brook.

Deep Brook, designated a Class 1 Wild Trout Management Area by the State Department of Energy and Environmental Protection, is one of nine streams in the State with that top designation. It is not stocked by the state and is home to a self-sustaining population of wild trout. Wild trout only exist where water quality is high. It is a rare resource in the middle of a large town.

During the past decade, the Candlewood Valley chapter, through federal grants and local donations, has directed over \$250,000 of work on the stream and thousands of hours of volunteer service improving Deep Brook's habitat. The chapter has also worked with town, state, federal and private agencies to restore and protect the habitat along the banks of Deep Brook. That is why I am speaking with you today.

We are concerned that the transfer of the property in section six of House Bill No. 5550 would put in jeopardy years of conservation work. This section transfers to the Catherine Violet Hubbard Foundation a parcel of land that includes approximately 2,500 feet of frontage on the brook. This parcel was previously transferred to the



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Town of Newtown by Special Act 03-19. That act restricted the land's use to open space and recreation. This act again transfers the land, this time to the Hubbard Foundation, and has no restrictions on use.

The Hubbard Foundation proposes to develop the land by constructing a large facility. This facility would include a welcome center with retail, office and meeting space, barns, multiple out buildings as well as additional facilities for farm animals and native wildlife. While specific plans have not been shared with the public this facility would be large, it would require clearing of forested lands, construction of new roads along with its commensurate traffic and would bring significant activity to the banks of the brook.

In 2011, the Town of Newtown Economic Development Commission proposed to develop a "tech park" on an adjacent piece of property. This property was further back from the brook than the property proposed for the Hubbard Foundation. That project was rejected during the permitting process by the U.S. Army Corps of Engineers because of adverse impact to the resource.

While we would like to believe that any development could be done in a manner which is of low impact to the resource, recent history instructs us otherwise. During the past decade both the state and town have been responsible for oil spills into the brook and last summer some individual or organization, likely in the Fairfield Hills complex, discharged a poisonous substance into stormwater drains leading to Deep Brook. This resulted in the killing of all fish in a quarter mile of stream. We are concerned that a private foundation, located directly on the stream, would lack sufficient resource to avoid additional negative impact.

We support the Catherine Violet Hubbard Foundation's efforts to establish an animal sanctuary in Newtown. We want to help them do that quickly and in a manner which is consistent with our mission. I hope you can help us do that.

In our opinion, the property in the bill has significant shortcomings. In addition to the adjacency to Deep Brook, there is no modern access to the property, the property is hidden from public view, and most of the parcel is steeply sloped towards the brook.

We believe there are alternate, nearby properties owned by the state that are readily available to meet both the Hubbard Foundation's goals as well as to protect the Deep Brook resource.

For example, immediately west (see "C" on the attached map) there is town and state land near Queen Street. That property is level, visible and, most importantly, in the heart of our community. The state and town maintains access to that property from Queen Street and it is close to existing utilities.



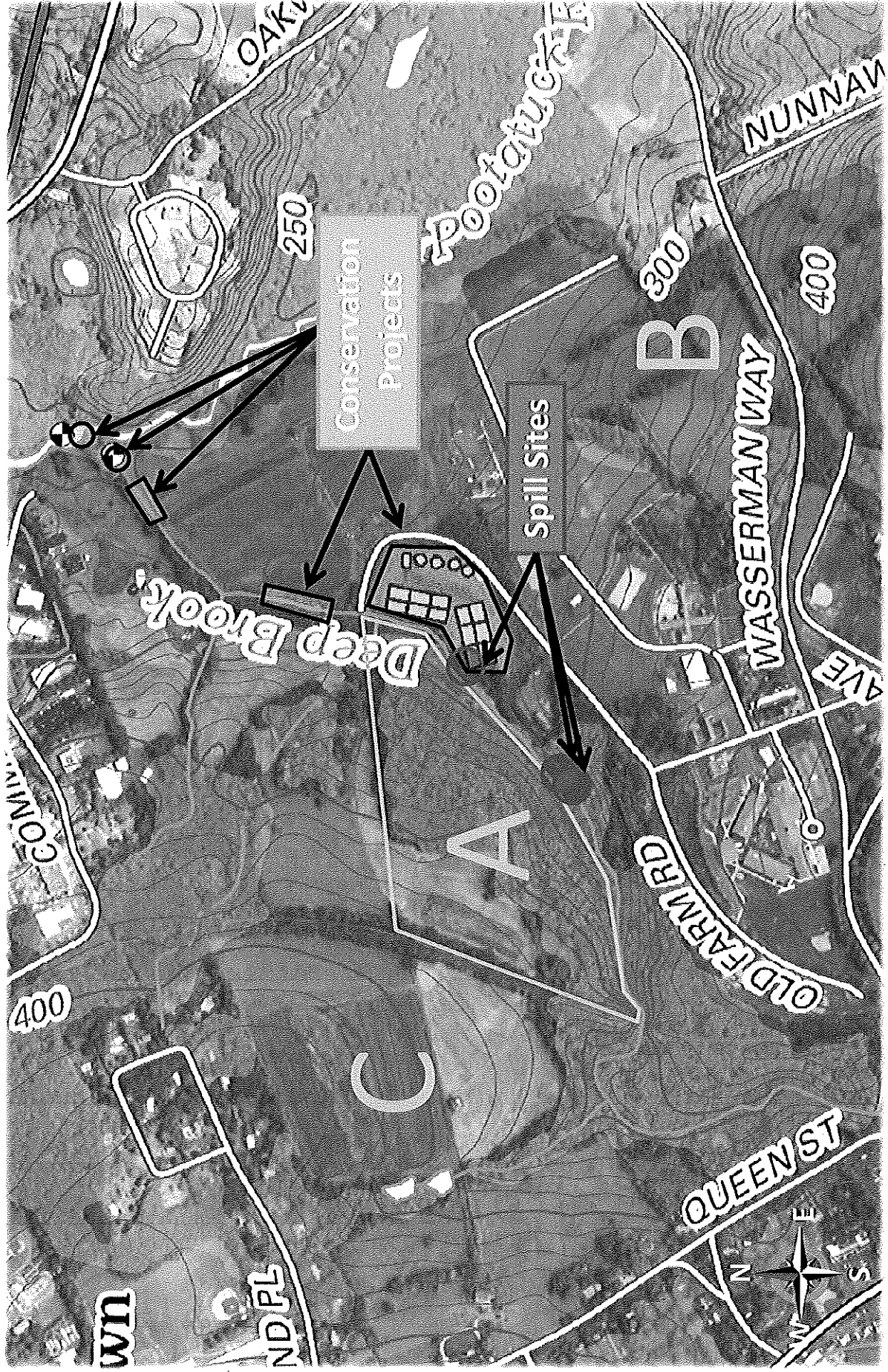
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Further, to the south, on Wasserman Way (see "B" on the attached map), a major thoroughfare in Newtown, there are state and town properties on and adjacent to the Horse Guard property that could satisfy the requirements for the Hubbard Foundation facility. In addition, those lands are already being used for activities that are consistent with those proposed by the Hubbard Foundation. They also have easy access and are close to existing utilities.

It is our recommendation that one of these more appropriate locations be substituted for the Deep Brook property identified in this bill. The Hubbard Foundation animal sanctuary is a wonderful idea and a worthy mission but this is not the right location.

Thank you for the opportunity to speak with you today.

Stephen Zakur
President
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A: HB 5550, Section 6 Property B & C: Proposed Alternate Locations